

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Aaron Abadi,)	
)	
Plaintiff,)	DECLARATION OF STEPHEN
)	NGAMAU IN SUPPORT OF KENYA
vs.)	AIRWAYS' MOTION TO DISMISS
)	
American Airlines Group, Inc., <i>et al.</i> ,)	
)	Civil Action No. 1:23-cv-04033-LJL
Defendant.)	

I, Stephen Ngamau, hereby declare and state as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration.

2. I am the Regional Manager Americas and West Africa of Kenya Airways, PLC ("Kenya Airways") with a business address of **Kenya Airways PLC, 500 7th Ave, New York, NY10018** and have been employed in this position since 01 July 2023.

3. My duties and responsibilities include

- Set mission and strategy while building a team with common goals and shared values
- Deliver KRA's for passenger and cargo revenue and service to operations
- Represent Kenya Airways with various government organizations and national carriers to ensure smooth business operations.
- Maximize yields and traffic in order to generate revenue and exceed budget
- Assess market potential for Kenya Airways for frequencies to and from region to build existing and new traffic flows
- Draft and execute a marketing strategy and sales plan to increase visibility and awareness of Kenya Airways brand
- advise on viabilities for codeshare, local partnership possibilities to improve connectivity opportunities to / from offline territories
- Ensure adequate accounting and debt control procedures to mitigate loss for Kenya Airways

4. As the Regional Manager Americas and West Africa, I am fully familiar with Kenya Airways' corporate structure as well as records, databases, standard practices regarding the ticketing of passengers transported by Kenya Airways and Kenya Airways' Customer Excellence Center.

5. I submit this Declaration in support of the Kenya Airways Motion to Dismiss.

6. I am fully familiar with the facts and allegations contained in Plaintiff's Complaint and Supplemental Complaint and submit this Declaration based upon my personal knowledge except where I have stated facts to be based upon information and belief, my review of the records of Kenya Airways that are created and maintained in the regular course of its business and the Complaint and Supplemental Complaint filed by Plaintiff in this action.

7. As to facts based upon information and belief, I believe them to be true based upon information given to me by employees of Kenya Airways, or through documents which I have reviewed in the course of my duties.

8. Kenya Airways is a Kenyan air carrier and engaged in the business of the carriage by air of passengers, baggage and cargo.

9. Kenya Airways is a corporation organized and existing under the laws of Kenya.

10. Kenya Airways maintains its headquarters and principal place of business in Nairobi, Kenya.

11. Kenya Airways has never maintained a principal place of business in any state in the United States, including New York or Texas.

12. The email dated September 3, 2021 attached to the Complaint as Exhibit 52 was authored by Mercy Mulira, a Kenya Airways **Clinical officer** employee working in the **Kenya Airways Medical Department** located in **Nairobi, Kenya**.

13. At all times relevant to the Complaint and Supplemental Complaint, the office for **Kenya Airways Medical Department** was, and currently is, located in **Nairobi, Kenya**.

14. In September 2021, as required by U.S. federal law, Kenya Airways imposed a mask mandate for travel on flights to and from the United States.

15. At the time of the signing of this Declaration, Kenya Airways no longer has a mask mandate for travel on any Kenya Airways flights.

16. According to Kenya Airways records, Aaron Abadi did not:

- enter into or purchase a contract of carriage by air on Kenya Airways between September 2021 and the present; and
- did not travel on any Kenya Airways flight between September 2021 and the present.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 02nd January 2024

A handwritten signature in black ink, appearing to read "Stephen Ngamau", written over a horizontal line.

STEPHEN NGAMAU